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7 WILSON AND PERCY MCGEE

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9 **UNITED STATES DISTRICT COURT**

10 **NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION**

11

12 TIM GALLI,

13 Plaintiff,

14 vs.

15 PITTSBURG UNIFIED SCHOOL
DISTRICT, BARBARA WILSON and
16 PERCY MCGEE,

17 Defendants.

CASE NO. 3:09-cv-03775-JSW

**JOINT STIPULATION AND [PROPOSED]
ORDER CONTINUING SETTLEMENT
CONFERENCE AND OTHER CASE
DEADLINES AS MODIFIED**

Hearing Date: December 14, 2010
Time: 2:00 p.m.
Courtroom: G
Trial Date: July 5, 2011

18

19 **SUBJECT TO THE APPROVAL OF THIS COURT, THE PARTIES HEREBY
20 STIPULATE TO THE FOLLOWING:**

21 1. On or about October 15, 2010, all parties, through their respective counsel of
record, appeared before Judge Jeffrey White at a Case Management Conference at which the
23 parties were ordered to participate in a Settlement Conference with a randomly assigned
Magistrate Judge by January 13, 2011.

25 2. On or about October 25, 2010, Magistrate Judge Bernard Zimmerman notified the
parties that a Settlement Conference had been scheduled for December 14, 2010, at 2:00 p.m. in
27 Courtroom G of the above-referenced Court.

28 3. As a result of the November 2, 2010 election, the Pittsburg Unified School

1 District's ("District") five-member Governing Board will have two new Board members taking
2 office and two current Board members leaving office on December 14, 2010. As such, the parties
3 agree that it would be premature to hold the Settlement Conference on December 14, 2010, since
4 the make-up of the District's Governing Board, who must approve any tentative agreement
5 reached at the Settlement Conference, will change on that very same day and will not have been
6 fully briefed on this litigation by District counsel.

7 5. As counsel for Defendants has confirmed with Judge Zimmerman's clerk that Judge
8 Zimmerman is unavailable during the entire month of January 2011 to conduct a Settlement
9 Conference, the parties hereby stipulate to continue the Settlement Conference to February 2011;
10 the specific date upon which shall be selected by Judge Zimmerman.

11 6. The parties further stipulate to continue additional case deadlines and dates as
12 follows:

- a. ~~Further Case Management Conference – March 4, 2011~~
- b. ~~Joint Supplemental Case Management Statement due – February 25, 2011~~
- c. Dispositive Motion Filing Deadline – March 18, 2011
- d. Hearing on Dispositive Motions – April 22, 2011 at 9:00 a.m.

7. The parties agree that all other scheduled dates shall remain the same.

SO STIPULATED. Pretrial conference shall be July 5, 2011 at 2:00 p.m.; trial to commence on July 25, 2011 at 8:00 a.m.

19 | DATED: November 19, 2010. Respectfully submitted,

FAGEN FRIEDMAN & FULFROST, LLP

By: /s/ Joshua A. Stevens

Joshua A. Stevens

Atorneys for Defendants PITTSBURG UNIFIED
SCHOOL DISTRICT, BARBARA WILSON and
PERCY MCGEE

1 DATED: November 19, 2010.

Respectfully submitted,

2 THE VENARDI LAW FIRM

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4 By: /s/ Mark L. Venardi

5 Mark L. Venardi

6 Attorneys for Plaintiff TIM GALLI

7 **[PROPOSED] ORDER**

8 IT IS HEREBY ORDERED, pursuant to the above Stipulation of the parties, that the
9 Settlement Conference, currently scheduled for December 14, 2010, at 2:00 p.m. in Courtroom G,
10 be continued to February 2011; the specific date upon which shall be selected by Magistrate Judge
11 Bernard Zimmerman.

12 IT IS HEREBY FURTHER ORDERED, pursuant to the above Stipulation of the parties,
13 that the case schedule be amended as outlined above, and as modified.

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15 DATED: November 24, 2010

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Hon. Jeffrey S. White
18 UNITED STATES DISTRICT JUDGE

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